

voter who shall vote for or against the issuance of said bonds. If at said election a majority of the votes cast on the question of said issue of bonds shall have upon them the words "For indemnifying subscribers," then said city council shall issue said bonds, but if more than one-half of said ballots shall have upon them the words "Against indemnifying subscribers," then the city council shall not issue said bonds and no liability shall attach to said city by reason of the passage of said resolution by the said city council, nor by reason of the passage of this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 3d, 1876.

CHAPTER CXVII.

AN ACT TO PREVENT A DIVERSION BY THE ST. PAUL AND PACIFIC RAILROAD COMPANY, OF LANDS GRANTED BY CONGRESS TO THE STATE OF MINNESOTA, AND BY THE STATE TO SAID COMPANY TO AID IN THE CONSTRUCTION OF A RAILROAD RUNNING FROM ST. CLOUD TO THE NAVIGABLE WATERS OF THE RED RIVER OF THE NORTH, BY SAID COMPANY, CONVERTING THAT PART OF SAID RAILROAD RUNNING NORTH FROM GLYNDON INTO A CONTINUATION OF THE MAIN LINE OF THE FIRST DIVISION OF THE ST. PAUL AND PACIFIC RAILROAD, AND ABANDONING THAT PART OF SAID RAILROAD RUNNING FROM MELROSE TO GLYNDON.

WHEREAS, Congress of the United States granted certain lands to the late territory and to the present state of Minnesota, to aid in the construction of a line of railroad extending from St. Cloud to St. Vincent, on the navigable waters of the Red River of the North; and,

WHEREAS, The state of Minnesota, at the solicitation of the St. Paul and Pacific Railroad Company, and upon its promise that it would construct said line of railroad throughout its entire length, granted said lands to the St. Paul and Pacific Railroad Company, upon the condition that it would construct the said line of road; and,

WHEREAS, Upon the faith of the undertaking by said company to construct said line of road, a large population has settled along the line of said road between St. Cloud and Glyndon, which population will be left without convenient railroad communications if said line of railroad between said last named two points is not constructed; and

WHEREAS, The possibility of procuring any company to construct that part of said road between St. Cloud and Glyndon must depend upon such company having the advantage of owning and controlling said line of road throughout its entire length; and

WHEREAS, The St. Paul and Pacific Railroad Company threaten to violate their obligation to the state to build the whole of said line of

road, by converting that part of the said line of road north of Glyndon into an extension and feeder of the main line of the First Division of the St. Paul and Pacific Railroad and by abandoning the construction of the unfinished portions of the said line between St. Cloud and Glyndon, whereby the completion of that part of said road will be much delayed, if not rendered impossible; therefore,

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The St. Paul and Pacific Railroad Company shall not, nor shall any company or individual owning or operating the lines thereof either directly or indirectly make or maintain, or caused to be made or maintained, or permit any railroad connection whatever, with or between the so-called St. Cloud and St. Vincent extension line of railroad and the main line of the St. Paul and Pacific Railroad or any branch or extension thereof, or any railroad connection therewith at any point westerly of range number forty-one (41), in said state, until the full completion of the lines of railroad of the St. Paul and Pacific Railroad Company extending from Saint Cloud to Saint Vincent, and from Sauk Rapids to Brainerd, nor shall any of the parties above named in this section, by any lease, purchase, sale or contract of any kind, facilitate or permit any running connection with any road constructed or operated by any party west of said range and between the main line road and the St. Cloud and St. Vincent extension line road above mentioned, prior to the full completion of the said extension lines between St. Cloud and St. Vincent, and between Sauk Rapids and Brainerd.

SEC. 2. In case the St. Paul and Pacific Railroad Company, or their successors shall violate any of the provisions of this act, then and thereupon all the rights, benefits, privileges, lands, property and franchises conferred upon said company by any act of the legislature of this state pertaining to all parts of said lines of road which are unfinished at the time of the passage of this act, shall become and be forfeited to the state, absolutely, without any judicial or legal proceedings whatever, in which case all and singular, the same without merger or extinguishment, to be used granted and disposed of by the state to aid in the construction of the said lines of road between Sauk Rapids and Brainerd, and between St. Cloud and St. Vincent.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 6th, 1876.